



**REMARKS**

Claims 1-15 are pending in the application. Of those, claims 1, and 12-15 are independent.

**§ 103(a) Rejection**

Beginning on page 2 of the Office Action, claims 1-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,734,788 to Nonomura et al. ("the '788 patent") in view of U.S. Pre-Grant Publication ("PGPub") 2004/0076402 to Jung et al. ("the '402 PGPub"). This rejection is traversed.

A §103(a) rejection can be overcome by removing one or more of the applied references as eligible art against the patent application. The oldest effective U.S. filing date of the '402 PGPub is its provisional application filing date, namely March 7, 2003. In contrast, the §119 priority date claimed by the present application is earlier, namely February 28, 2003. Here, the '402 PGPub can be removed as a reference against the present application if Applicants' claim to §119 priority is perfected.

The requirements to perfect the claim of §119 priority based upon a prior foreign patent application are: (1) submission of a certified copy of the priority application; (2) submission of an English language translation of the priority application; and (3) submission of a statement that the translation of the certified copy is accurate. Here, the first requirement has been satisfied because a certified copy of the present priority application was submitted on May 28, 2004. The same was acknowledged by the Examiner via the Office Action mailed December 17, 2004.

Enclosed with this reply is an English translation of Korean Patent Application No. 10-2003-0012861 (having a filing date of February 28, 2003), upon which §119 priority is claimed by the present application. Thus, the second requirement for perfecting §119 priority has been satisfied.

The undersigned hereby states his belief that the attached English translation is an accurate translation of Korean Patent Application No. 10-2003-0012861. Thus, the third requirement for perfecting §119 priority has been satisfied.

In view of the foregoing discussion, the rejection is improper. Withdrawal of the rejection is requested.

**CONCLUSION**

The issues raised in the Office Action are considered to be resolved. Accordingly, Applicants again request a Notice of Allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Terry L. Clark at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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